

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 16, 2003. Although Applicant believes all pending claims are allowable over the cited references without amendment, to expedite issuance of the Application, Applicant has made clarifying amendments to Claims 11, 14, 19, 27, 30, and 35. None of these changes are considered necessary for patentability. Applicant respectfully requests reconsideration and favorable action.

Telephone Interview

In a telephone interview on April 2, 2003, Applicant discussed differences between Applicant's claims and the references cited by the Examiner. Applicant agreed to submit an amendment to clarify the claims.

The Claims are Allowable Over the Cited References

The Examiner rejects Claims 11-16, 18, 27-32, and 34 under 35 U.S.C. § 103(a) as being unpatentable over European Patent Office Publication No. 0425405A2 by James et al. ("James") in view of U.S. Patent No. 5,712,985 to Lee et al. ("Lee") and in further view of *The Keys to the Enterprise: Integrated Applications Drive Information Systems to New Horizons* by Rhodes ("Rhodes"). The Examiner rejects Claims 17, 19-26, 33, and 35-42 under 35 U.S.C. § 103(a) as being unpatentable over *James* in view of *Lee*, in further view of *Rhodes*, and in further view of *Dun & Bradstreet Software Delivers Sales and Promotion System to Manufacturers* by Smith et al. ("Smith").

Independent Claims 11, 19, 27, and 35 of the present application recite limitations that are not disclosed, taught, or suggested in any combination of *James*, *Lee*, *Rhodes*, *Smith*, and *New Para Research MRP II System Adapts Itself to Your Business* by Cavallaro ("Cavallaro"). As an example, neither *James*, *Lee*, *Rhodes*, *Smith*, nor *Cavallaro* disclose, teach, or suggest the following limitations recited in independent Claims 11, 19, 27, and 35, whether these references are considered individually or in combination with one or more of

each other or with knowledge generally available to those skilled in the art at the time of the invention:

- “pre-allocated supply of the product to the seller, the pre-allocated supply being a supply of the product that has been pre-allocated to the seller for promising to subsequent customer orders for the product through the seller, the pre-allocation of the supply of the product to the seller occurring prior to distribution of the pre-allocated supply of the product to the seller”; and
- computing “the amount of the product that is ATP at a seller according to at least the planned supply of the product, the customer orders for the product through the seller, the pre-allocated supply of the product to the seller, and the amount of the product that is ATP at a higher level in a seller hierarchy.”

Accordingly, for at least these reasons, Applicant respectfully requests allowance of independent Claims 11, 19, 27, and 35, along with all claims that depend on independent Claims 11, 19, 27, and 35.

Conclusion

For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

If the Examiner believes that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to call Christopher W. Kennerly, attorney for Applicant, at 214.953.6812.

Applicant believes no fees are due. Nonetheless, the Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant



Christopher W. Kennerly
Reg. No. 40,675

Correspondence Address:

Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6812

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